

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of

Implementation of Section 621(a)(1) of the
Cable Communications Policy Act of 1984
as amended by the Cable Television
Consumer Protection and Competition Act
of 1992

MB Docket No. 05-311

**MOTION TO EXTEND THE TIME FOR FILING REPLY COMMENTS
OF CERTAIN FLORIDA MUNICIPALITIES**

Gary I. Resnick, Esq.
Fla. Bar No. 54119
Frank A. Rullan, Esq.
Fla. Bar No. 150592
Weiss Serota Helfman Pastoriza
Cole & Boniske, PA
3107 Stirling Road, Suite 300
Fort Lauderdale, FL 33312
(954) 763-4242

Counsel for Certain Florida Municipalities

March 6, 2006

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Bal Harbour Village, Coconut Creek, Coral Gables, Miramar, Golden Beach, Homestead, Islamorada Village of Islands, Weston, and Winter Haven (hereinafter referred to collectively as "Florida Cities") respectfully request that the Commission extend the deadline for filing reply comments in this proceeding by at least two weeks or until March 28, 2006.¹

Florida cities request this extension pursuant to Commission Rule 47 C.F.R. §1.46. The Commission itself has granted extensions of time in the past where the

¹ By Public Notice the Commission issued a Notice of Proposed Rulemaking and established deadlines for the filing for comments and reply comments (November 18, 2005 *In the Matter of Implementation of Section 621(a) (1) of the Cable Communications Policy Act of 1984, as amended by the Cable Television and Consumer Competition Act of 1992*, MB Docket No. 05-255, Notice of Proposed Rulemaking (November 18, 2005).

Commission has requested that parties create a detailed record of market conditions.² In this proceeding, the Commission has asked parties to provide “evidence of both concrete examples and broader information that demonstrate the extent to which any problems exist.” (NPRM at ¶ 13).

More than 4,000 comments have been filed in this docket. Petitioners appreciate that a great many of the comments are short and a large majority of commenters agree that local governments’ conduct and authority with respect to franchising has been effective and beneficial to the development and deployment of video services. Still, there are numerous and lengthy comments adverse to the positions advocated by the Florida Cities. There’s reason to believe these comments are seriously flawed in factual accuracy. We need the opportunity to ensure that an accurate factual record is created for the Commission as requested in the NPRM. Further the Commission needs assurance that the factual assertions made in this proceeding are accurate.

The Florida Cities further understand that on March 3, 2006, a similar request was made by the National Association of Telecommunications Officers and Advisors (“NATOA”), the United States Conference of Mayors, the National League of Cities and the National Association of Counties. The Florida Cities incorporate by reference the statements made in NATOA’s request and urges the Commission to grant the relief requested.

² See e.g. *In the Matter Fees for Ancillary or Supplemental Use of Digital Television Spectrum Pursuant to Section 336 (e)(1) of the Telecommunications Act of 1996*, MM Docket No. 97-247, Order Granting Extension of Time for Filing Comments (February 23, 1998).

Finally, we believe that an extension will not cause any hardship to any party and that the granted relief is in the public interest. Accordingly, we respectfully urge the Commission to extend the date for filing reply comments to a date not earlier than March 28, 2006.

Respectfully submitted,

**Village of Bal Harbour, Florida
City of Coconut Creek, Florida
City of Coral Gables, Florida
City of Miramar, Florida
Town of Golden Beach, Florida
City of Homestead, Florida
Islamorada Village of Islands, Florida
City of Weston, Florida, and
City of Winter Haven, Florida**



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Their Attorneys

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